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[Additional counsel identified on signature page in accordance with Local Rule 3-4(a)(1)]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

MICROSOFT CORP.,

and

ACTIVISION BLIZZARD, INC.,

Defendants.

Case No. 3:23-cv-02880

**STATEMENT IDENTIFYING
WITNESSES AND EXHIBITS TO BE
USED JUNE 27, 2023**

Pursuant to the Court's Order Following June 21, 2023 Status Conference (Dkt. 170), Plaintiff Federal Trade Commission respectfully submits this statement identifying the witnesses to be called on June 27, 2023 and the exhibits Plaintiff intends to use with the witnesses.

Plaintiff intends to call Jim Ryan (by video deposition designation), Jeff Fisher (by video deposition designation), Phil Eisler (by video deposition designation), Dr. Robin Lee, and submit

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a Joint Stipulation regarding Microsoft employee Lori Wright in lieu of live testimony. Listed below are the exhibits Plaintiff intends to use with these witnesses.

Defendants have stated their intent to call Dr. Elizabeth Bailey. Listed below are the exhibits Plaintiff intends to use with the witnesses it intends to call, and the exhibits Plaintiff may use on cross with Dr. Bailey.

Exhibits Plaintiff intends to use with Mr. Ryan:

Exhibit No.	In camera treatment requested (if any)	Used in
PX3106		
PX3109		
PX3110	ECF No. 172 at 6	
PX7053	ECF No. 172 at 7	ECF No. 175; ECF No. 132
PX7054	ECF No. 172 at 8	ECF No. 175; ECF No. 132
PX8001		ECF No. 175; ECF No. 132

Exhibits Plaintiff intends to use with Mr. Fisher:

Exhibit No.	In camera treatment requested (if any)	Used in
PX3113	In camera treatment requested; ECF No. 161 at 3	
PX3117	In camera treatment requested; ECF No. 161 at 3	
PX3148		

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PX7062	Redactions requested; ECF No. 161 at 4	ECF No. 175
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Exhibits Plaintiff intends to use with Mr. Eisler:

Exhibit No.	In camera treatment requested (if any)	Used in
PX1781		
PX2391		
PX3052	In camera treatment requested; ECF No. 161 at 3	ECF No. 175
PX3103	In camera treatment requested; ECF No. 161 at 3	ECF No. 175
PX3104	Redactions requested; ECF No. 161 at 3	
PX3144	In camera treatment requested; ECF No. 161 at 3	
PX7060	Redactions requested; ECF No. 161 at 3	ECF No. 175
PX8000	Redactions requested; ECF No. 161 at 4	ECF No. 175

Exhibits Plaintiff intends to use with Dr. Lee:

Exhibit No.	In camera treatment requested (if any)	Used in
PX5000		ECF No. 175
PX5001		

Defendants are calling Dr. Elizabeth Bailey. Plaintiff may use the following documents during cross of Dr. Bailey:

Exhibit No.	In camera treatment requested (if any)	Used in
PX5002		

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1	PX7077		
2	PX2355		
3	PX2448		
4	PX2453		
5	PX2460		
6	PX2447		
7	PX2452		
8	PX2454		
9	PX2456		
10	PX2462		
11	PX2463		
12	PX2464		
13	PX2465		
14	PX2471		
15	PX7000		
16	PX7001		
17	PX7002		ECF No. 175
18	PX7003		ECF No. 175
19	PX7004		ECF No. 175
20	PX7005		ECF No. 175
21	PX7006		ECF No. 175
22	PX7007		ECF No. 175
23	PX7008		ECF No. 175
24	PX7009		
25	PX7010		ECF No. 175
26	PX7011		ECF No. 175

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1	PX7012		
2	PX7014		ECF No. 175

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4 DATED: June 26, 2023

/s/ James H. Weingarten

5 James H. Weingarten
6 Peggy Bayer Femenella
7 James Abell
8 Cem Akleman
9 J. Alexander Ansaldo
10 Michael T. Blevins
11 Amanda L. Butler
12 Nicole Callan
13 Maria Cirincione
14 Cassandra DiPietro
15 Jennifer Fleury
16 Michael A. Franchak
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